

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GLAXO GROUP LIMITED,

Plaintiff,

Civil Action No. 04-171

v.

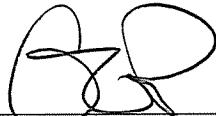
TEVA PHARMACEUTICALS USA, INC. and
TEVA PHARMACEUTICAL INDUSTRIES
LIMITED,

Defendants.

TEVA'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT

Defendant Teva Pharmaceuticals USA, Inc. and Teva Pharmaceutical Industries Limited ("Teva"), respectfully move pursuant to Fed. R. Civ. P. 56 for summary judgment, seeking judgment as a matter of law that Teva's ranitidine formulation does not infringe the claims of the '249 patent. The grounds for this motion are fully set forth in the accompanying brief filed herewith.

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Dated: June 30, 2006

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CERTIFICATE OF SERVICE

I, Adam W. Poff, Esquire, hereby certify that on June 30, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on June 30, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

BY FEDERAL EXPRESS

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